

MINUTES

CLARENDON COUNTY COUNCIL REGULAR MEETING

April 12, 2010 6:00 P.M.

**F. E. DuBose Career Center Auditorium
Manning, SC**

The **Regular meeting** of the Clarendon County Council was held on Monday, **April 12, 2010**, at 6:00 PM in the **Auditorium of the F. E. DuBose Career Center, in the Alcolu area of Manning, S.C.**

In attendance were:

County Council Chairman Dwight L. Stewart, Jr.
County Council Vice-Chairman W. J. Frierson **
County Councilman Billy Richardson
County Councilman Benton Blakely
County Councilman A. C. English, Jr.
County Administrator Bill Houser

**County Council Vice-Chairman W. J. Frierson was delayed in arriving due to a work conflict but arrived during the Executive Session portion of the meeting.

Press in attendance: Cathy Gilbert of ***The Clarendon Citizen***, Bobby Baker with ***The Item and The Clarendon Sun***, and Jason Lesley of ***The Manning Times***.

Others in attendance: Betty S. Pritchard, Clerk to Council; David W. Epperson, County Attorney; Linda P. Lemon, Human Resource Director; Mia Jackson, Senior Secretary, Administration; Lynden Anthony, Controller; Tammy Rodvansky, Budget Analyst; Kathy Geddings, Probate Judge; Patricia Pringle, Auditor; Hayes Samuels, Coroner; Randy Garrett, Sheriff; Michael Kozlarek, Attorney with Parker Poe Law Firm; Brent Robertson, Investment Banker with Merchant Capital, L.L.C.; Loretta Pollard, Beth McLeod, J. T. Myers and Nancy Cave, members of the Animal Control Ordinance Review Committee; Yolanda Mitchell, representing the Rimini Community Coalition; Patrick Goodwin, Administrator of the Town of Turbeville; Marilyn Tsirigotis, County Library Director; and other community residents.

Chairman Stewart opened the meeting at 6:00 PM. He welcomed all in attendance after which Councilman Richardson gave the Invocation followed by the Pledge of Allegiance recited in unison.

Following a review of the **Minutes of the Regular County Council Meeting of March 8, 2010**, and the **Special Council Meetings of March 22 and March 29**,

2010, and upon motion of Councilman English, seconded by Councilman Blakely, these **Minutes were approved as presented.**

At 6:05 PM, Chairman Stewart opened the **Public Hearings** for discussion and public comments on the following Ordinances:

1) Ordinance #2010-01 to Amend the FY 2009-2010 County Budget. Administrator Houser explained that when the FY2009-2010 Budget was prepared, the County Finance Group took an extra conservative approach since the economic situation was uncertain and the outcome of Legislative action relative to the ATIs (Assessable Transfer of Interest properties) was unknown at that time. It is now evident that actual collections are exceeding revenue anticipated in the FY 2009-2010 Budget in an amount in excess of \$ 250,000. Houser explained that in preparing the final budget, certain proposed and requested expenditures were deleted from the Budget because of the economic restrictions and anticipations. He reported that in view of the additional revenue collected, he is recommending that certain expenditures be reconsidered for purchase and/or repair. He reviewed the recommended expenditures explaining the necessity for each, as follows:

Archives roof repair	\$ 40,000
Archives interior repair	20,000
5 mid-size vehicles from State contract to replace oldest vehicles	80,000
Internet-based procurement software	40,000
Internet domain	35,000
Internet firewall upgrade	8,800
Weldon part-time Events Coordinator March 1 st	<u>9,300</u>
Total expenditures	\$ 233,100

Administrator Houser further explained that since the Archives Building is on the National Historical Register, the services of an architect will be required which could possibly increase the cost of the Archives repair. He reported that the bid cost of the Archives roof repair has not been provided as of this date. Chairman Stewart stated Council has agreed that the five vehicles (two for the Assessor's office, one for the Planning Department and two for the Courthouse) will not be ordered until all other repairs and replacements have been made. Chairman Stewart asked for questions or comments from the public and the following were submitted:

Toni Baker: ***“Will these vehicles be ordered from local dealers?”***
Administrator Houser responded, ***“We would prefer to purchase from local dealers; however, we are obligated to purchase from the State Contract unless the local dealers will match the State Contract price.”***

Annelle Powell: *“Is Weldon a County facility?”* Administrator Houser replied, *“The County owns the building which was previously owned by School District #2.”*

This concluded the questions and discussion relative to this Ordinance.

2) Ordinance #2010-03 To Allow for the Installment Payment of Real Estate Ad Valorem Taxes. County Attorney Epperson reported that the County Treasurer contacted him with the idea of implementing an installment payment plan for the payment of ad valorem taxes on real estate. Epperson reviewed with Council the fact that §12-45-75 of the SC Code of Laws 1976, as amended, grants authorization to Clarendon County to enact this Ordinance. He then briefed Council on the basics of the Ordinance with the primary purpose being to give the taxpayers an option to make installment payments of their real estate taxes per an agreement entered into between the taxpayer and the County Treasurer which will specify the terms and conditions. He explained that there are three options with two being prepayment of real estate taxes based on the previous year's tax bill to be paid either on a monthly or a quarterly basis and the third option which will allow for monthly payments after receipt of the tax bill with the final payment being made on or before the due date in January. Epperson commented that this installment plan is being offered to lessen the burden on the taxpayers. Chairman Stewart commented, “Usually taxes are paid in arrears but in this case, the taxpayer will be paying in advance.” Epperson responded, “Except for the third option which is based on the current tax bill.” Chairman Stewart asked for questions or comments from the public relative to this Ordinance and the following were submitted:

Councilman Richardson: *“On the third option, if the taxpayer makes three payments and does not make the fourth payment before the final due date, the funds will be sent back to the taxpayer?”* Attorney Epperson explained, *“The agreement will be between the taxpayer and the Treasurer but it is my understanding if the final payment is not paid timely, the funds being held will be returned to the taxpayer and the unpaid tax bill will be turned over to the Delinquent Tax Collector.”*

Annelle Powell: *“Is there going to be a fee if you choose the monthly or quarterly plan? And is this extra work going to take more people?”* Attorney Epperson responded, *“No fee for this is planned – the Treasurer believes that the small amount of interest earned on the funds held in trust will offset the extra administrative handling. The Treasurer says he can handle receipt of these installment payments with his current staff.”*

Councilman Blakely: *“Why would you send all of the money back if they do not pay the full amount by the deadline?”* Administrator Houser explained, *“The County does not have the authority to forgive an unpaid tax bill. The law requires that a tax bill must be paid in full by the stated deadline or it must be turned over to the Delinquent Tax Collector.”* Chairman Stewart reiterated, *“Real property tax payments by law are due to be paid in full without penalty by January 15th, and after that date,*

penalties are assessed until March 15th which is the deadline for the taxes to be paid in full. After that date, they are turned over to the Delinquent Tax Collector, who continues to collect them with added collection charges, and if they are not paid prior to the first Monday in October, the property is sold at public auction. This is the State law and we are not permitted to deviate from that.” Attorney Epperson added, *“The taxpayer will be entering into an Agreement with the Treasurer on behalf of the County and he and his staff will administer the installment program.”* Auditor Patricia Pringle further added, *“After the March 15th deadline, the property tax bills roll over to the Delinquent Tax Collector, and she sends out a notice to the property owner on April 1st which provides an opportunity to the taxpayer to pay the delinquent tax bill before the collection costs are added.”*

This concluded the questions and discussion relative to this Ordinance.

3) Ordinance #2010-04 to Restate County Road User Fee and Authorize Assignment of Portion to Municipal Entity Under Intergovernmental Agreement.

Attorney Epperson explained that the County Road User Fee was established and authorized by Council via Ordinance in 1992, was amended in 1993 and amended again in 2001, and currently implements a \$ 25.00 road user fee to be paid on each registered vehicle in the County. In recent negotiations with the City of Manning, they have discussed assigning a portion of this fee to the City for the maintenance of their streets and roads. Epperson stated that contingent upon Council's approval, the City of Manning will execute an Agreement with the terms and conditions specified which should alleviate future questions. Chairman Stewart asked for questions or comments from the public relative to this Ordinance but none were submitted.

4) Ordinance #2010-05 To Authorize Clarendon County to Enter Into an Enterprise Financing Agreement in an Amount Not to Exceed \$ 3,250,000 to be Paid From and Secured by Pledge of An Enterprise Charge Collected by the County (Weldon Project).

Administrator Houser reported that the contractors are in the process of finishing up the restoration of the Weldon Auditorium project which was started a little over a year ago with the assistance of a \$ 1.5 million dollar Bond Anticipation Note (BAN) due to the rather unfavorable financial market. This \$ 3,250,000 Bond will pay off the \$1.5 million dollar BAN and will finance the remainder of the building construction, as well as the front and side parking areas, landscaping, etc. Houser explained that this \$ 3,250,000 Bond will be collateralized by a pledge of the Hospitality Fee. He reported that the County has collected an average of \$ 260,000 annually from the Hospitality Fee for the past 2½ years and as of December 31, 2009, there is a balance of \$ 650,000 in this account. It is proposed that the County will pledge payments on this Bond in an annual amount not to exceed \$ 225,000 which will be paid from the Hospitality Fee account. Houser explained it is anticipated that the term of this financing may very well be expanded over a 25-30 year period and the interest rate is unknown at this time. Councilman Blakely commented that Council needs to make sure the taxpayers are not charged for this. Administrator Houser explained that this financing

agreement is a Revenue Bond secured by the 1% Hospitality Tax collected on prepared foods and beverages and it is anticipated that I-95 travelers will help pay for this Weldon Project by frequenting Clarendon County restaurants, convenience stores, etc. Chairman Stewart asked for questions or comments from the public relative to this Ordinance and the following were submitted:

Toni Baker: *“Is the enterprise charge and the hospitality fee the same or different?”*

Michael Kozlarek (Bond Attorney): *“The security is pledged as an Enterprise Charge and is defined in the Ordinance and in the Enterprise Financing Agreement as the Hospitality Fee. It’s the same thing.”*

This concluded the questions and discussion relative to this Ordinance. Chairman Stewart **closed the Public Hearings at 6:35 PM**

Consideration was given to Third Reading of Ordinance #2010-01 to Amend the FY 2009-2010 County Budget. Upon motion of Councilman Richardson, seconded by Councilman English, **Council voted unanimously to grant Third Reading to Ordinance #2010-01.**

Consideration was given to Third Reading of Ordinance #2010-05 to Authorize Clarendon County to Enter Into an Enterprise Financing Agreement in an Amount Not to Exceed \$ 3,250,000 to be Paid from and Secured by Pledge of An Enterprise Charge Collected by the County (Weldon Project). Chairman Stewart explained for clarification that First Reading of this Ordinance was held on March 8th and Second Reading at a Special Meeting on March 22nd necessitated by the May 15th closing of the Revenue Bond to meet the GO Bond payoff time frame. The Public Hearing was held earlier in the April 12th meeting and this will be the Third and Final Reading. Upon motion of Councilman Richardson, seconded by Councilman English, **Council voted unanimously to grant Third Reading to Ordinance #2010-05.**

Consideration was given to Second Reading of Ordinance #2010-03 to Allow for the Installment Payment of Real Estate Ad Valorem Taxes. Upon motion of Councilman English, seconded by Councilman Blakely, **Council voted unanimously to grant Second Reading to Ordinance #2010-03.**

Consideration was given to Second Reading of Ordinance #2010-04 to Restate County Road User Fee and Authorize Assignment of Portion to Municipal Entity Under Intergovernmental Agreement. Upon motion of Councilman Richardson, seconded by Councilman English, **Council granted unanimous approval to Second Reading of Ordinance #2010-04.**

Consideration was given to First Reading of Ordinance #2010-06 to Adopt the FY 2010-2011 Budget. County Controller Lynden Anthony reported that the proposed County Budget for FY2010-2011 has no tax increase for County operations; that all Department Managers were asked to reflect no increase in their budget requests and that 75% of the Managers responded positively. He reported that the Auditor and the Coroner did not submit their budgets and for this presentation, he used their current year figures. He added that he had not made any changes to the budgets submitted by the Elected Officials. Anthony presented to Council the highlights of the proposed FY 2011 Budget, as follows:

Total projected Revenue	\$ 17,740,030
(4% increase over current year)	
Total requested Expenditures	
For Operational Budget	<u>18,497,373</u>
Deficit at this First Reading	\$ 757,343

Anthony explained that the largest increase in expenses (10.4%) is attributable to the Sheriff's office for significant increases in equipment and repairs and capital items (7 vehicles) with a total increased amount of \$ 283,105. Other expenditure increases include a 9% increase in landfill expenses for acquisition of adjacent land necessitated by expansion of the C&D landfill; an increase of approximately \$ 60,000 for the IT Department to replace the Courthouse telephone system, which is obsolete, and equipment to implement in-house printing of tax notices and other bulk mail. The Public Works budget includes a new vehicle and operating lease to upgrade one of the older motor graders. Anthony further explained that it is necessary to reduce the community grants pool in this new proposed Budget; that the 2009 Budget allocation was \$ 445,000 but the amount in the proposed Budget has been reduced to a total allocation of \$ 345,000. He also noted that he believes Clarendon Memorial Hospital may be able to reduce the \$ 987,000 for EMS service by \$ 75,000 or more which will be reflected in later readings of this Budget Ordinance. Anthony reported that an allocation of \$ 344,000 for Weldon Auditorium Complex is included to cover the operating expenses for the first year of operation. He reported that all requested personnel changes at this time are lumped into Personnel but will be transferred to the individual departments when and if approved by Council. He noted that there are three new positions included in the proposed Budget – 2 Corrections Officers necessitated by State mandates per population and 1 new officer for the Sheriff's Department representing 4.5% of the total increase. In addition, requested changes to existing positions reflect an impact of \$ 118,400 to the proposed Budget. Anthony reported that for First Reading, the proposed Budget also includes a 3% COLA (cost of living allowance) of \$ 227,000 and a Merit pool of \$ 25,000 neither of which were included in the current year's Budget. The projected expenditures, as presented at First Reading, totals \$ 18,497,373 or an increase of 8.5%, resulting in the deficit of \$ 757,343. Anthony explained that since he does not anticipate being able to increase revenue, the only way to balance the Budget is to cut

expenditures in the County General Operational Budget. He added that most of the County Departments reflect no increase; that most of the expenditure increase is in the Budgets of the Elected officials and that he has made no changes to these Budgets.

Anthony then explained the Budgets of the Special Purpose Districts. He reported that the Fire Department is requesting three new firefighters at a total cost of \$ 143,500 and the Library Budget reflects an increase of \$ 40,000 but the funding for these increases should be available through collections. No increase is anticipated for the Vocational School. The Fire Department Debt has decreased slightly due to capital lease on two new fire engines. The Hospital Debt reflects an increase to \$ 1,465,708 in anticipation of a bond issuance of \$ 14 million tentatively scheduled in November 2010. He reported anticipated Revenue for the Special Purpose Districts, as follows: F.E.DuBose Career Center \$ 259,565; Fire Department \$ 1,950,000; Library \$ 515,000.

For First Reading of the FY 2010-2011 Budget, the total County General Operational Budget of \$ 18,964,174 plus the Special Purpose Districts Operation and Debt of \$ 4,278,932, results in total Appropriations for Expenditures of \$ 23,243,106. Anthony reported that these figures do not include the expenses of the two Enterprise Funds: the Water & Sewer Department \$ 335,000 and the Weldon Auditorium Complex with projected Revenue of \$ 157,370 and projected expenses of \$ 337,387 resulting in a projected deficit for the first year of \$ 180,000.

Chairman Stewart thanked Anthony and his staff for preparation of the proposed FY 2011 Budget and asked Council if they had any questions. None were submitted. The Chairman announced that the Public Hearing for the FY 2011 Budget will be held in conjunction with the May 10th Regular Council Meeting as the approved Budget must be in place by June 30th. Upon motion of Councilman Blakely, seconded by Councilman Richardson, **Council voted unanimous approval to First Reading of the Budget Ordinance #2010-06.**

Budget Presentations from Elected and Appointed Officials were submitted as follows:

1) **Kathy Geddings, Probate Judge:** Reported that she has cut supplies and capital expense to the best of her ability. She has requested only bare necessities with which to operate the office. Judge Geddings requested that her Clerk II be promoted to Deputy Probate Judge to enable her to act in her behalf to accommodate the public during her absence from the office. She explained that she served as a Deputy under Judge Weinberg, Judge Cothran and Judge Morris and was then promoted to Associate Probate Judge. Chairman Stewart thanked Judge Geddings for her excellent service to the public over many years in that office.

2) **Patricia Pringle, Auditor:** Reporting that she had been busy with the School Districts and had not had time to prepare her Budget by the requested deadline, Auditor Pringle distributed a copy of her Budget to each Council member. She stated that she had made no changes in her Budget and was trying to operate within the current Budget. She reported that she is again requesting job title changes to Administrative Assistant for one of the two Clerk II staff members in her office with a 12% salary increase and that all Clerk II positions be eliminated in the Auditor office and replaced with titles of Auditor Tax Clerk and Auditor Sr. Tax Clerk with the base salary increased by 7%. Chairman Stewart thanked the Auditor for her presentation and asked Council if they had any questions. Councilman Richardson commented that Council did authorize a title change last year for the Deputy Auditor and asked how many employees currently staff the Auditor's office. The Auditor replied, "Three, but we would love to have more! We have a lot of responsibility with DNR and DMV, as well as the Assessor's office." Councilman Richardson asked, "How long have Ragin and the other Clerk been in the Auditor's office?" Pringle replied, "Three years and two years." Councilman English questioned, "12% and 7% – that's a pretty substantial increase in this tough economy!" Chairman Stewart commented, "We appreciate your efforts in keeping the office expenses with no increase but we will still have quite a number of changes to make in order to balance the Budget."

3) **Hayes Samuels, Coroner:** Commented, "I have nothing to ask for – I'm just trying to remain where I am." He reported his office handled eight suicides in 2009 but the statistics are much better this year. Chairman Stewart thanked Coroner Samuels and his staff for the professional way in which they serve the County and asked Council if they had any questions. None were offered.

4) **Randy Garrett, Sheriff:** Reported that most of his increase in Budget requests are in capital expenditures. He is requesting six new patrol vehicles and an additional vehicle for investigations. He noted that with the current economic conditions, loss of jobs, etc., people have increased anxiety, which creates an increase in domestic violations, increase in criminal offenses, and an increase in calls to the Sheriff's office for service. He noted that autos in excess of 100,000 miles are considered a liability. He explained that he wants to purchase a Tahoe rather than a pickup truck because this is more practical when transporting criminals. He also reported that he wants to promote his part-time employee, who serves papers, to a full-time employee because the paperwork has increased. He also requested the addition of one officer to assist with traffic enforcement and stated that the fines received will offset the cost of the officer. Chairman Stewart thanked the Sheriff for his presentation and asked Council if they had any questions. Councilman Richardson asked if there is a fee for serving papers. Sheriff Garrett responded that there are fees and that the fees for serving all papers other than the DSS program go into the General Fund – that the DSS fees go directly into the Sheriff's

account. Chairman Stewart thanked the Sheriff for all that he and his staff do to protect the County and assured him that "Council will do all that we can."

Consideration was given to First Reading of Ordinance #2010-07 To Provide for the Control and Regulation of Animals in Clarendon County and Other Related Matters.

Attorney Epperson reported that the newly appointed Animal Control Ordinance Review Committee met on March 31st to review the proposed Ordinance. He introduced the four Committee members in attendance at the Council meeting: Loretta Pollard, Beth McLeod, J. T. Myers and Nancy Cave. He reported that the full seven-member Committee, chaired by the County Attorney, reviewed the draft Ordinance very thoroughly by discussing each section of the Ordinance. He stated that the Committee made only some minor verbiage changes and that they did not address funding mechanisms or enforcement since this is not the intent of this Ordinance. He stated that the intent of this Ordinance is to authorize Law Enforcement to pick up stray dogs within the County. He then highlighted the few minor changes in the Ordinance as recommended by the Committee, as follows: Section V (B): Any Animal, which cannot be positively identified, has been impounded for at least five (5) days and is unclaimed by its owner, may be disposed of by the Animal Control Facility's personnel in a humane way or such Animals may be turned over to any organization established for the purpose of caring for animals. Section V (C): If an Animal has been positively identified and its owner notified by standard U.S. mail, the owner must notify the Animal Control Officer(s) within fourteen (14) days of the date of mailing of the notification that he or she will pick up his or her Animal. If the owner does not pick up his or her Animal within this time period, the Animal may be disposed of. Section V (D): Before any Animal is released from the Animal Control Facility, the Facility's personnel must be satisfied that the Animal is currently inoculated against rabies or will be inoculated against rabies within seven (7) days from the date of release and the owner or keeper must pay a quarantine (housing) fee of \$ 50.00, an additional fee of \$ 5.00 per day for every day the pet has been quarantined and an administrative fee of \$ 10.00. To satisfy the Animal Control Facility's personnel, the animal's owner must provide a current certificate of inoculation within the time period prescribed herein. Section VII: Hunting Exception (should satisfy the concern of hunters). Any animal engaged in the act of hunting, while accompanied by an owner or other person with custody and control of the Animal, shall be exempt from the provisions of this Ordinance. Epperson reported that this is a stream-lined version of the initial Ordinance and after much vigorous effort of review, the Committee voted to submit the Ordinance to Council for their approval. He added that although there is a State Law, the County must pass a County Ordinance to enforce the State Law. Chairman Stewart stated that although this has been a very controversial subject, this is the first step in trying to get a handle on the strays, neglected and abandoned animals in the County. He added that the County needs the assistance of all citizens to effectively implement this Ordinance and make a difference. Attorney Epperson also recommended that the Committee remain in tact to review future concerns and issues relative to effective Animal Control since they will be familiar with the initial regulations and concerns. Councilman Blakely asked if the Animal Shelter was

involved with the review and recommendations of this Ordinance. Epperson responded that three members or former members of the Animal Shelter serve on the Review Committee: J.T. Myers, Loretta Pollard and Nancy Cave. Councilman Richardson asked if all pit bulls will be determined “vicious animals.” Attorney Epperson referred him to Section II (I) which defines a vicious animal as a “carnivorous domestic mammal, excluding livestock and cats, with an abnormal inclination to attack a person or other Animal without provocation.” Epperson stated, “Any pit bull, or any other dog, who meets this definition, will be determined to be a vicious animal. This definition was taken directly from the State Code.” Sheriff Garrett interjected, “Once any animal is involved in an incident of attacking a person or another animal and is determined to be vicious, it will always be declared “vicious.” Committee member, Nancy Cave, interjected, “It’s not the breed, it’s the behavior of the animal.” Annelle Powell asked if it is mandatory for all hunting dogs to wear collars. Epperson stated, “There’s nothing in this Ordinance that requires this. If the animal is running away from the hunter and the hunter has no control over the animal, when the Animal Control Officer is called, he would take this animal and impound it as with any other dog.” Chairman Stewart asked if this would be handled on a complaint basis. Epperson replied, “Not necessarily – the officer will be patrolling on a request basis but the majority of the time, the officers respond to a complaint.” Chairman Stewart asked, “The dog must be under control of the hunter?” Epperson responded, “Yes, the hunter will be responsible for maintaining control of his dogs.” Yolanda Mitchell, representing the Rimini Community Coalition, asked if the Ordinance will cover the Rimini area. Epperson assured her it will cover the unincorporated community of Rimini. Loretta Pollard thanked County Council for their intent to handle this stray animal situation, as did J. T. Myers and stated he would be able to continue serving on the Committee. Upon motion of Councilman Richardson, seconded by Councilman Blakely, **Council voted unanimously to grant First Reading to Ordinance #2010-07.** Chairman Stewart announced that **the Public Hearing for this Ordinance will be held at the May 10th Regular Council meeting.**

Consideration was given to adoption of the Fair Housing Resolution. Chairman Stewart presented a summary of the Resolution and its intent to prohibit discrimination in the sale or rental of housing on the basis of race, color, religion, sex and national origin. Upon motion of Councilman Richardson, seconded by Councilman English, **Council voted unanimous adoption of the Fair Housing Resolution.**

Consideration was given to Proclamation Declaring April 14, 2010, as National Bookmobile Day in Clarendon County. Chairman Stewart presented a summary of the Proclamation in which he recognized the importance of bookmobiles in the expansion of public library services to the citizens. Chairman Stewart thanked Library Director, Marilyn Tsirigotis, and her staff for the excellent service they render to the citizens. Upon motion of Councilman Blakely, seconded by Councilman English, **Council voted unanimous adoption of the Proclamation.**

Consideration was given to Proclamation Declaring April 2010 as National County Government Month in Clarendon County. Chairman Stewart summarized the Proclamation by reporting that 3,066 counties in the United States provide essential public service to communities of 300 million Americans. He reported that this year's theme is "Healthy Living in Healthy Counties" and that Clarendon County takes its responsibilities very seriously in protecting and enhancing the health, welfare and safety of its citizens. Upon motion of Councilman English, seconded by Councilman Blakely, **Council voted unanimous adoption of the Proclamation.**

Consideration was given to Request from Sheriff Garrett for out-of-state travel for Sean Briley to attend a 5-day Advanced Undercover Techniques and Survival Training Program in Daytona Beach, Florida, under the Multi-jurisdiction Drug Task Force Grant. Upon motion of Councilman English, seconded by Councilman Blakely, **Council voted unanimous approval for this travel.**

Consideration was given to Request from Sheriff Garrett for out-of-state travel for Cpl. Pat Coker, Deputy Grant Cannon and Deputy Nakia Cooper to attend a 5-day Drug Interdiction Training Program in Peachtree City, Georgia (includes 2 days' travel time.) Upon motion of Councilman Blakely, seconded by Councilman Richardson, **Council voted unanimous approval for this travel.**

Administrator Houser noted that the request for out-of-state travel for the Grants Administrator has been withdrawn due to excessive expense but may be re-submitted when pre-registration discounts can be taken.

Consideration was given to Request from Anthony Mack, Emergency Operations Director, to attend a 5-day conference, the Regional Public Communications Officials, in Concord, NC. Upon motion of Councilman Blakely, seconded by Councilman English, **Council voted unanimous approval for this travel.**

Consideration was given to Board Appointments and the Chairman asked the Clerk to Council, Betty S. Pritchard, to present the appointments to be considered. She presented the following:

Library Board: Clerk Pritchard reported that as result of Rhonda Ritchie's resignation due to out-of-town travel, there is a vacancy from District #2. She reported that an application has been received from Brenda Clark, who is a teacher in Clarendon School District #2, and who has agreed to serve on the Library Board. She added that there are three other vacancies on the Library Board and that applications have been sent to prospective applicants which applications will be submitted to Council once they are returned. Upon motion of Councilman English, seconded by Councilman Richardson, **Council voted unanimous approval to the appointment of Brenda Clark whose term will commence immediately and will expire June 30, 2013.**

Chairman Stewart announced that a convening of the CCTC (Clarendon County Transportation Committee) was necessary to consider one request. He **convened the CCTC at 7:45 PM.** Stewart reported that he received a **request from the SCDOT Commission for a \$ 500 allocation from the County's "C" Funds to pay for fabrication and installation of a sign dedicating a portion of Hwy. 260 from the intersection of the Manning City limits to Oxwali Creek as the "Fred Chewning Highway"** to honor Mr. Fred Chewning who passed away in 2009 at the age of 103 years and who lived on that portion of Hwy. 260. Upon motion of Councilman English, seconded by Councilman Richardson, **Council voted unanimous approval to the request for \$ 500.** Chairman Stewart **closed the CCTC meeting at 7:48 PM and returned to the Open Session.**

Administrator Houser submitted his Report, as follows:

1) **County Financial Report as of February 28, 2010,** reflects **Revenue of \$ 12,496,409** or **73%** of Budget and **Expenditures of \$ 11,340,361** or **67%** of Budget (62% without Grant Expenditures).

County Financial Report as of March 31, 2010, reflects **Revenue of \$ 13,328,631** or **78%** of Budget, and **Expenditures of \$ 12,612,276** or **74%** of Budget (69% without Grant expenses), resulting in a **surplus of \$ 1,184,883.**

2) **Financial Reports for February 28, 2010,** was received from School Districts #2 and is contained in the Council packets. Reports from School Districts #1 and #3 will be included in the May Council packets.

3) **Report of the "C" Fund Program – "C" Fund Report as of February 28, 2010,** has been received from SC DOT as to their monthly accounting; and the Consolidated "C" Fund Report reflects **Funds received in February of \$ 82,281,** in addition to the cash balance at January 31, 2010, of **\$ 889,712** with Local Paving Project expenditures of \$ 77,880, leaving a **Cash Balance at February 28th of \$ 894,113** with commitments of \$ 894,113 for Remaining Local Paving Projects of \$ 412,484; Remaining Construction by State of \$ 598,219 and State Construction Projects Reserve of (\$ -116,590) leaving an **uncommitted balance of \$ -0-.** The County Attorney is still working on obtaining right-of-way easements for Brogdon Road, from Tearcoat to Plowden Mill, and for Rev. J.W. Carter Road and Billups Road for Spring paving. Since the March Council meeting, no additional easements have been received from Brogdon (still need easements on 14 parcels, many with multiple owners); all easements have been received from Rev. J.W. Carter Road; and still waiting on 2 easements from Billups Road.

4) **Clarendon County Water & Sewer Department** - Statement of Operations for the nine-month period ending March 31st reveals **Total Operating**

Revenue of \$ 248,557 and Operating Expenses of \$ 198,978 for an Operating Revenue Gain of \$ 49,579. With depreciation expenses of \$ 26,460, there is a **net Utility Income of \$ 23,119 for the nine-month period.**

5) **News Tidbit – Clarendon County Detention Center –** In addition to last month's report, total meals served at the Detention Center from July 1, 2009, through December 31, 2009, are 48,528 meals or an average of 8,088 meals per month with a daily high of 332 in July and a daily low of 209 in November.

Chairman Stewart announced that his monthly written report was contained in the Council packets and offered to answer any questions Council members might have. He stressed the importance of total participation in **Census 2010** as the results gathered from this Census will affect the County for the next ten years with regard to various grants that are population related. He presented the current participation totals for **Clarendon County at 64%** (2000 total rate was 48%) compared to South Carolina's current participation rate of 67%. He announced the **Lindsey Graham Constituent Service Day** in Turbeville at the Town Hall on Tuesday, April 13th; the **Opening Ceremony of Baseball Program at Walker-Gamble** Park on Tuesday, April 13th, at 5:00 PM; the **Third Annual Puddin Swamp Festival** in Turbeville on April 15-17th; and the **Striped Bass Festival and Boat Poker run** in Manning on April 18-26th.

Chairman Stewart announced the necessity to go into **Executive Session** to discuss a contractual matter and to discuss personnel issues. Upon motion of Councilman Richardson, seconded by Councilman Blakely, **Council voted to enter Executive Session at 8:00 PM. Sheriff Garrett and EOC Director, Anthony Mack, were included in a portion of the Executive Session. No action was taken in Executive Session.**

At the conclusion of Executive Session and upon motion of Councilman Richardson, seconded by Councilman English, **Chairman Stewart reconvened the Open Session at 9:40 PM.**

Chairman Stewart reported that **Council has asked the County Administrator to meet with Sheriff Garrett in an effort to negotiate some changes and resolve some issues in a contract with the Sheriff.** Stewart expressed appreciation to Sheriff Garrett and to Anthony Mack for the services they provide.

Chairman Stewart reported that Council received a briefing relative to the water purchase rate quote received from the City of Manning at \$1.33 per thousand gallons. Upon motion of Councilman English, seconded by Councilman Richardson, **Council voted unanimously to authorize the Administrator to negotiate a contract for water purchase price with the City of Manning and to enter into and execute a Contract Agreement, the terms of the Agreement to reflect \$ 1.33 per thousand gallons with annual renewal.**

There being no further business, Council **adjourned at 9:45 PM without objection.**

Respectfully submitted,

Dwight L. Stewart, Jr., Chairman

Betty S. Pritchard, Clerk to Council

CERTIFICATION OF PUBLIC AND MEDIA NOTIFICATION

I, Betty S. Pritchard, Clerk to Council, Clarendon County Council, Manning, South Carolina, do hereby certify that public and media notification of the County Council Meeting of April 12, 2010, was given prior thereto by the following means:

PUBLIC NOTIFIED: ***Yes***

MANNER NOTIFIED: ***Agenda placed on the bulletin board in the Clarendon County Courthouse and F. E. DuBose Career Center***

DATE POSTED: ***April 9, 2010***

MEDIA NOTIFIED: ***Yes***

MANNER NOTIFIED: ***Agenda emailed to THE MANNING TIMES, THE ITEM, and THE FLORENCE MORNING NEWS***

DATE NOTIFIED: ***April 9, 2010***

***PUBLIC HEARINGS
ADVERTISED:*** ***Advertised in THE ITEM on March 28, 2010.***

Respectfully submitted,

Betty S. Pritchard, Clerk to Council